

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

BETHANY AIENA; LAUREN GUNNESON;
CHRISTINE JAMES; and DANIELLE NEWMAN

v.

19-46 C

ROBERT WILKIE, SECRETARY,
U.S. DEPARTMENT OF VETERANS AFFAIRS

COMPLAINT

NOW INTO COURT, through undersigned counsel, come BETHANY AIENA;
LAUREN GUNNESON; CHRISTINE JAMES; and DANIELLE NEWMAN, who file their
Complaint as follows:

JURISDICTIONAL STATEMENT

1.

This Court has jurisdiction over this cause of action under 28 U.S.C. § 1331 (federal question). This is a civil action under the Equal Pay Act of 1963, 29 U.S.C. § 206, which amends the Fair Labor Standards Act of 1938 (“FLSA”), as amended, 29 U.S.C. §§ 201 et seq.

THE PARTIES

2.

The plaintiffs are:

- A. BETHANY AIENA, a person of full age and majority.
- B. LAUREN GUNNESON, a person of full age and majority.
- C. CHRISTINE JAMES, a person of full age and majority.
- D. DANIELLE NEWMAN, a person of full age and majority.

3.

The defendant is ROBERT WILKIE, in his official capacity as Secretary, U.S. Department of Veterans Affairs.

COUNT ONE

CLAIMS UNDER THE EQUAL PAY ACT

4.

The U.S. Department of Veterans Affairs hired each of the plaintiffs for a one-year term of employment from 2017-2018. The plaintiffs were post-doctoral residents in psychology at the Southeast Louisiana Veterans Health Care System in New Orleans. The plaintiffs, who are all female, were paid the same salary and benefits as each other. However, the plaintiffs were paid less than a male colleague even though the plaintiffs performed substantially equal work.

REQUEST FOR RELIEF

5.

The plaintiffs request all damages to which they are entitled under the law, which are in excess of \$10,000 each, including:

- A. Backpay and other compensation owed, at the rate allowed by law;
- B. Liquidated damages;
- C. Attorney's fees and costs;
- E. Equitable and injunctive relief; and
- F. Any other relief to which the plaintiffs are entitled.

WHEREFORE, PREMISES CONSIDERED, the plaintiffs, BETHANY AIENA; LAUREN GUNNESON; CHRISTINE JAMES; and DANIELLE NEWMAN, request that the defendant, ROBERT WILKIE, in his official capacity as Secretary, U.S. Department of Veterans

Affairs, be duly cited to appear and answer this complaint and that after due proceedings are had, there be judgment rendered herein in the plaintiffs' favor and against the defendant, jointly, severally, and in solido, for an amount reasonable under the premises, for all costs of the proceedings, and for all general and equitable relief to which they are entitled.

Respectfully submitted,

/s/ Stephen Austin
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